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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,781	12/24/2003	Toshikazu Yoshimi	Q79096	9460
65565	7590	05/11/2007		
SUGHRUE-265550			EXAMINER	
2100 PENNSYLVANIA AVE. NW			LUKS, JEREMY AUSTIN	
WASHINGTON, DC 20037-3213				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/743,781

Applicant(s)

YOSHIMI ET AL.

Examiner

Jeremy Luks

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 9-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: In line 4, the word *along* should be added after the word *formed*. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 9, 10 and 12-17 rejected under 35 U.S.C. 102(b) as being anticipated by Furukawa (5,004,066). Furukawa teaches an attaching plate (Figures 1A and 1B, #1 (portion attached to vibrator #4)) for attaching a speaker (4) configured to output sound, the attaching plate comprising: a first hole in which the speaker (4) is attached (clearly seen in Figure 1B); a first cutout portion (5p and 5q) comprising a single substantially arc-shaped slot (5p), or a plurality of second holes intermittently arranged along the periphery of the first hole and forming a single arc; and a second cutout portion (5r and 5s) comprising a plurality of third holes intermittently arranged along the periphery of the first cutout portion and forming a single arc; wherein each of the plurality of second holes (Figure 1A, #5p and 5q) is an arc-shaped slot; wherein each of the plurality of third holes (Figure 1A, #5r and 5s) is an arc-shaped slot; wherein each of the plurality of second holes (Figure 3A, #5a-l) is a round hole; wherein the

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speaker (4) is attached to the attaching plate with no gap there between (can be seen in Figures 1A and 1B); and wherein the cutout single substantially arc-shaped slot (Figures 1A and 1B, #5p) comprises a fold-back portion (Figure 1B, see portions extending backward from slot (5p)) in which the edge of the single substantially arc-shaped slot (5p) attaching plate is folded back to a rear side-thereof of the attaching plate (1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furukawa (5,004,066) in view of Morimoto (JP 08289381). Furukawa is relied upon for the reasons and disclosures set forth above. Furukawa further teaches a speaker (Figures 1A and 1B, #4) attached to an attaching plate (Figures 1A and 1B, #1 (portion attached to vibrator #4)). Furukawa fails to teach wherein the attaching plate further comprises a panel provided on a door of a vehicle. Morimoto teaches wherein a speaker (Figure 1, #13) is attached to an attaching plate (10) comprising a panel provided on a door of a vehicle (See translated abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of

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Furukawa, with the apparatus of Morimoto to integrate the speaker into a vehicle door and protect the speaker from liquids.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furukawa (5,004,066) in view of Dodd (6,116,373). Furukawa is relied upon for the reasons and disclosures set forth above. Furukawa further teaches an attaching plate (Figures 1A and 1B, #1 (portion attached to vibrator #4)) comprising a substantially arc-shaped slot cutout (5p). Furukawa fails to teach wherein the substantially arc-shaped slot cutout is filled with a filler. Dodd teaches wherein a cutout portion (Figure 1, #24) is filled with a filler (30). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Furukawa with the apparatus Dodd in order to suppress structural resonance vibrating the cabinet and attaching plate.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2, 4 and 9-17 have been considered but are moot in view of the new ground(s) of rejection. The Examiner considers the prior art of Furukawa, Morimoto and Dodd to teach all of the limitations as claimed by Applicant.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Luks whose telephone number is (571) 272-2707. The examiner can normally be reached on Monday-Thursday 8:30-6:00, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-1988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremy Luks
Patent Examiner
Art Unit 2837
Class 181


LINCOLN DONOVAN
SUPERVISORY PATENT EXAMINER